THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 16846 OF 2006

Dated 22nd February, 2007

Between:

K.Geetha Bhavani and others.

…Petitioners

And

The Government of Andhra Pradesh,
Represented by its Principal Secretary,
School Education (Training-II) Department,
Secretariat, Hyderabad and others.

…Respondents.

ORAL ORDER:

The petitioners herein are the students who are admitted to Language Pandit Courses, which are of one year's duration, during the academic year 2005-2006. They assailed the validity of the requirement of minimum pass marks of 35% in each part of a paper where a paper consists of Part-A and Part-B stipulated in G.O.Ms.No.80, School Education (Training –2) Department, dated 2.5.2005.

It is the case of the petitioners that earlier getting of 35% marks in each subject with aggregate marks of 40% in all the subjects was sufficient to declare a candidate to have passed in the course. But, however, in G.O.Ms.No.80, dated 2.5.2005, minimum marks of 35% were prescribed in each part i.e. Part-A and Part-B so far as Papers III and V are concerned. The said G.O. is questioned mainly on the ground that the same was not circulated to the colleges to bring it to the notice of the students to enable them to prepare for the examinations in accordance with the criteria laid down in the said G.O., and, was not within the knowledge of the petitioners, and, therefore, the said criteria is arbitrary and illegal.

On the other hand, learned Government Pleader has submitted that the copies of G.O.Ms.No.80 dated 2.5.2005 were communicated to all the colleges imparting Language Pandit courses and a copy of the proceedings by which the said G.O. was communicated is enclosed along with the counter affidavit. The said proceedings indicate that at the very beginning of the academic year, the new criteria notified in G.O.Ms.No.80 dated 2.5.2005 for securing minimum pass marks was communicated to all the

institutions. In that view of the matter, it is not open for the petitioners to plead that the petitioners are not aware of the requirement of getting minimum pass marks stipulated in the said G.O.

As no other ground is urged, I do not find any illegality in G.O.Ms.No.80, dated 2.5.2005. The writ petition is devoid of merits and is, therefore, dismissed. No costs.

_____

22.2.2007

R.SUBHASH REDDY, J.

VR